

should be engrafted in the constitution, as proposed by the gentleman who had just taken his seat, it would, in his humble judgment, (and he concurred with what had fallen from the gentleman from Kent, [Mr. Chambers,] it would be so perfect a nullity that it would be hardly worth censuring the time of the Convention in regard to it. But he did attach importance to resisting it, in one point of view, and that led him to participate in this discussion. He did not intend to go into that branch of the discussion which seemed to be invited, by intimating that there was a distinction as to the extent of the power of the people of Maryland, acting through their delegates in the Convention, and the people of Maryland, acting through its representatives in the House of Representatives and the Senate, so far as the General Government was concerned. He believed that long since it had been well maintained that in the provisions of the Constitution of the United States, speaking of the States, they had not a meaning confined to the Legislature or the Senate, but that they had reference to a political community, formed of human beings, residing within certain confines. Any other doctrine would be destructive of the Constitution of the United States.

If the people, by delegates to a Convention of any State, could, so far as the General Government was concerned, do that which they could not do in the House of Delegates and the Senate, why it was only necessary to organize a State Convention, and through its action, make null and void all essential power conferred upon the General Government. But he would not moot such a question; it had already been fully discussed elsewhere. Assuming that they were here under the same restraints that the Constitution imposed upon the people of Maryland in any political form in which they might assemble, let us then look into some of the provisions of the Constitution of the United States and see whether the article proposed is not in direct conflict upon several essential points with the provisions of that instrument.

The third clause of the third section of that Constitution, declares that "No person shall be a Senator who shall not have attained to the age of thirty years, and been nine years a citizen of the United States, and who shall not, when elected, be an inhabitant of that State for which he shall be chosen." What was the design, the object of this clause? Was it not to fix qualifications, without which a member of the Senate of the United States could not qualify? Did it not propose to cover the whole ground in that particular?

Mr. BOWIE. I think not.

Mr. THOMAS thought that it prescribed all the qualifications and restrictions that were intended to act upon the individual aspiring to a seat in the United States Senate.

They had a similar provision in relation to the qualifications of Representatives. "No person shall be a Representative who shall not have attained the age of twenty-five years, and been seven years a citizen of the United States, and

who shall not, when elected, be an inhabitant of that State in which he shall be chosen."

They had another with regard to the President of the United States: "No person, except a natural born citizen, or a citizen of the United States, at the time of the adoption of this Constitution, shall be eligible to the office of President; neither shall any person be eligible to that office who shall not have attained to the age of thirty-five years, and been fourteen years a resident within the United States."

Now, each if these articles of the Constitution of the United States, intended to prescribe all the requisites, so far as age, citizenship, and residence were concerned, that were to be complied with before members of the House of Representatives, members of the Senate, and the President of the United States, could qualify under the Constitution of the United States. The gentleman from Prince George's, (Mr. Bowie,) seemed to maintain the converse of this proposition, and to insist that whenever the Constitution of the United States did not deny expressly to the States the power to prescribe qualifications to functionaries of the General Government not found in that Constitution, that then this State was competent to exercise such power, and insert a clause in her Constitution, rendering ineligible to a seat in the Senate of the United States, one who is not disqualified by the government of the Union. If this be true, a very strange state of things may be produced.

To illustrate, he would take a case of a Senator of the United States, and refer to the article prescribing his qualifications.

By the clause fixing the qualifications of a Senator, if a citizen, seeking a seat in the Senate, is thirty years of age, he is eligible so far as his age is questioned. Was it competent for the Legislature of any one State to superadd to this requirement and say that a citizen should be ineligible unless he was forty years of age? If forty, he would of course, be thirty years of age, and the provision in a State Constitution requiring him to be forty, would not be in direct conflict with the Constitution of the U. States, if it be true as contended in this debate, that a State in this respect may insert in its constitution an article, or may pass a law attaching any qualifications to the candidate for a seat in the United States Senate, which the Constitution of the United States does not directly forbid. Let such a strange construction of the Constitution once prevail, and we shall have one State fixing the age of a Senator at forty, another at thirty-five, another at fifty, and the Senate of the U. States, when about to exercise its power to judge of the election and qualification of its members, will find it necessary not only to consult the Constitution under which they derive their power to judge, but they must look to the provisions of each Constitution and to the laws of every Legislature of every State in the confederacy.

The same may be said as to the qualifications of members of Congress and of the President. Indeed, if a State may change or modify the qualifications for President, it would not be difficult